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19 (Sem-I) CNLW-I (H)

2016

CONSTITUTIONAL LAW-I

Paper : 1-5 (H-1-CL)

(Indian Federalism etc.)

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the gaps : 1×10=10

(i) Article _____ of the Constitution of India has declared India to be a Union of States. (1/2)

(ii) Governor holds office during the pleasure of the _____. (President/Chief Justice of the High Court)

(iii) The jurisdiction of the Supreme Court extends to the State of Jammu and Kashmir except Articles 135 and _____. (136/139)

Contd.

- (iv) Section _____ of the Constitution of Jammu and Kashmir provides that "the State of Jammu and Kashmir is and shall be the integral part of the Union of India". (1/3)
- (v) Indian system of government was declared as quasi-federal by _____. (K.C. Wheare/D.D. Basu)
- (vi) State of Bihar *vs.* Kameswar Singh case is related to the doctrine of _____. (Pith and Substance/Colourable Legislation)
- (vii) When proclamation of Emergency is issued under Article 352, Article 19 is suspended _____. (by a notification of the President/automatically)
- (viii) American Federation is the result of an agreement among _____ colonies. (13/14)
- (ix) In UK, there is _____ form of government. (federal/unitary)
- (x) Article _____ provides for the establishment of a Finance Commission. (280/281)

2. Answer the following questions : 2×5=10

- (a) Write *any two* advantages of a federal constitution.
- (b) When can the Governor issue ordinance?
- (c) Mention *any two* federal characteristics of American Constitution which are not found in Indian Constitution.
- (d) What is the meaning of colourable legislation?
- (e) What do you mean by grants in-aid?

3. Define Federation. Explain the basic features of Indian Federation. 4+8=12

Or

Discuss the nature of federal government under the Government of India Act, 1935.

12

4. "State of Jammu and Kashmir is a part of India, but its status is different from that of the other states of the Union of India". What are those differences?

Do you think that Article 370 should be abolished? $8+4=12$

Or

Write on the discretionary powers of the Governor. Can the Governor act in his discretion in the appointment of the Chief Minister? $6+6=12$

5. Make a comparative study of Division of Powers under the Constitution of India and USA. 12

Or

Make a comparative study of the features of the Constitutions of UK and India. 12

6. Discuss the provisions mentioned in the Constitution of India relating to the distribution of revenue between the Union and States. 12

Or

Narrate the principles relating to the Interpretation of Union List, State List and Concurrent List. 12

7. "Various provisions have been incorporated in the Constitution of India to promote co-operative Federalism". Discuss. 12

Or

Who are the members of the Inter-State Council?

Discuss the role which can be played by the Inter-State Council to effect co-ordination between States. $4+8=12$